



Policy Priorities for Housing Legislation

The following sets forth proposed working housing policy priorities for the Bay Area Council. This is not an exhaustive list of housing issues or concerns nor a detailed description of exact language to be included in legislation. Rather it is a discussion tool to help clarify priorities and focus advocacy. While there was substantial housing funds included in the FY 2001 State Budget and significant progress on some housing issues in the last Legislative Session, there still remains much work to do to secure supportive public policy for housing. Further, appropriate state and local housing policies must be augmented by active support for actual projects from employers.

1. Increase Supply: Plan to Accommodate Sufficient Supply and to Achieve a Jobs-Housing Balance

Require each local planning jurisdiction to provide sufficient housing to match the greater of its expected population growth or job growth. This would mean designating sufficient land for this purpose in their general plans and zoning ordinances. Subregional cooperation to achieve an appropriate jobs-housing balance would be an acceptable means of satisfying this requirement.

2. Discourage Voter Initiatives That Constrain Supply

Establish a mechanism or process to either (a) prevent voter-enacted modifications to land use policy under certain conditions or (b) require disclosure of the environmental and economic impacts as determined by independent analysis. The ability to reduce housing opportunities should be prohibited in any jurisdiction which has not met its fair share housing obligation, which is a requirement of State law. Further, discourage trends towards rent control because of limited supply by encouraging provision of an adequate supply of sufficient affordability and by opposing rent control measures.

3. Reform Construction Tort Liability and Decrease Defect Litigation

Establish a home warranty program or alternative method which will severely limit exposure to construction defect litigation.

4. Promote Housing as the "Linchpin" of Smart Growth and Recognized in CEQA

Establish a statewide "smart growth" policy as an environmentally-preferred alternative, declaring projects consistent with the policy to be environmentally-preferred, providing a rebuttable presumption in land use law and CEQA; and/or establish legislative intent to recognize the importance of affordable housing to the natural environment. A statewide smart growth policy should include at least the following principles: accommodation of housing within each region to match population and jobs growth; efficient urban land use; protection of important ecosystems and natural habitat; natural resource conservation; protection of prime farmland; and, adequate investment in infrastructure.

5. Streamline CEQA for Affordable Housing

Provide exemptions or a streamlined CEQA process for affordable housing projects in jurisdictions that have not yet met their fair share housing allocation or for projects consistent with the existing General Plan.

6. Provide Fiscal Incentives to Local Government for Approving Housing

Provide increased property tax revenues and/or other funding (such as discretionary funding for "amenities" and other infrastructure) to local governments planning to accommodate a sufficient and adequate supply and making good faith progress towards meeting their fair share housing obligations.

7. Provide Financial Incentives for Redevelopment Agencies to Build Housing

Establish tighter timeframes and more specific conditions for cost-effective and timely use of the housing "set aside" funds in Redevelopment Agencies. Consider increasing the minimum tax increment "set aside" and establishing a mechanism, such as a Regional Housing Trust Fund, to capture unspent "set aside" funds that are not used within a certain timeframe to use for affordable housing within the region (with the generating jurisdiction being a priority target for reinvestment of such funds).

8. Provide Financial Incentives for Higher-Density Affordable Housing

Provide increased revenues, infrastructure assistance or other incentives (such as density bonuses) for higher density affordable housing projects.

9. Link Local Government Infrastructure Funding to Progress in Housing

Link infrastructure subventions to local governments fulfillment of their Fair Share Housing obligations. Within that framework, prioritize according to the efficiency of land use. Consider realigning the distribution of incremental property tax revenues in the same manner.

10. Promote Brownfield Clean-Up and Redevelopment to Accommodate Housing

Remove impediments to clean-up and redevelopment of urban brownfields wherever possible to increase the supply of available urban land for housing, mixed-use projects that support housing, and other related purposes.